IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3430 OF 2004

Jagan Ramchandra Narkhede .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Mr.M.S.Karnik for the applicant.
Mr.R.Y.Mirza APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 23RD AUGUST, 2004

P.C.:

. In view of the judgment of this court in Laxman Irappa Hatti and Anr. Vs. The State of Maharashtra (decided on 15.7.2004 in Criminal Application No.2816 of 2004) Mr.Karnik, learned counsel for the applicant, prays for withdrawal of this application with liberty to the applicant to file an application for bail afresh after filing of the chargesheet. In the aforstated case this court has taken a view that filing of the chargesheet is a substantial change of circumstance and, therefore, the Sessions Court is obliged to consider merits of the case afresh by allowing the applicant or his advocate to argue an application for bail on the basis of documents supplied with the chargesheet. The application is allowed to be withdrawn with the liberty as prayed for. If such application is filed same may be considered on merits in accordance with law.

(D.B.Bhosale, J.)